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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,424	11/26/2003	Seiji Shishikura	04208.0195	6607
7590 12/01/2004			EXAMINER	
Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P. 1300 I Street, N.W. Washington, DC 20005-3315			TSUKERMAN, LARISA Z	
			ART UNIT	PAPER NUMBER
			2833	

DATE MAILED: 12/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/721,424

Applicant(s)

SHISHIKURA ET AL.

Examiner

Larisa Z Tsukerman

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 13 is/are rejected.
- 7) ☒ Claim(s) 11 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 - 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Kobayashi et al. (5035633).

Kobayashi et al. disclose a card connector 12 comprising:

a housing 121;

a card insertion opening (not marked, space between sides 21a and 21b) formed by opening at least one end of the housing; and

a plurality of contacts 14 arranged in the housing;

wherein switching mechanism constructed of at least actuator members 25a and 25b and a shutter member 23 is provided in the housing.

In regard to claim 2, Kobayashi et al. disclose the actuator members 25a and 25b are movably arranged near the card insertion opening (see Fig.5) and interlocked with the shutter member 23.

In regard to claim 3, Kobayashi et al. disclose the actuator members 25a and 25b are pivotally arranged on both sides of the card insertion opening and interlocked with the shutter member 23.

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In regard to claim 4, Kobayashi et al. disclose the actuator members 25a and 25b are switching members at the card insertion opening.

In regard to claim 5, Kobayashi et al. disclose the shutter member 23 has a shutter plate (see Fig.4) and is latched by the actuator member 25a and 25b through latch engagement 29a and 29b on both sides of the shutter plate (see Fig.3 and Fig.5).

Claims 1, 6 - 10 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Kobayashi et al. (5035633).

In regard to claim 1, Kobayashi et al. disclose a card connector 12 comprising:

a housing 121;

a card insertion opening (not marked, space between sides 21a and 21b) formed by opening at least one end of the housing; and

a plurality of contacts 14 arranged in the housing;

wherein switching mechanism constructed of at least actuator members 30a,34a and 30b,34b and a shutter member 31 is provided in the housing.

In regard to claim 6, Kobayashi et al. disclose the shutter member 31 is **pivotally arranged to open and close the card insertion opening** and is operated according to a shape of a card inserted from the card insertion opening (see Fig.12 and Col .6, lines 8-11).

In regard to claim 7, Kobayashi et al. disclose the actuator members 30a, 34a and 30b, 34b are formed by bending elongate metal strips and are mounted elastically deformable at the card insertion opening (see Col. 6, lines 30-35).

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In regard to claim 8, Kobayashi et al. disclose the metal strips of the actuator members are provided with cam portions 33a and 33b at their bent inner corners, which are engaged by a card 15.

In regard to claim 9, Kobayashi et al. disclose the actuator members 30a, 34a and 30b, 34b have cam surfaces 33a and 33b that change the inlet area of the card insertion opening 11 (see Fig. 10).

In regard to claim 10, Kobayashi et al. disclose cam surfaces 33a and 33b of the actuator members are vertical surfaces (see Fig. 9).

In regard to claim 13, Kobayashi et al. disclose the shutter member 31 is rearwardly pivotally arranged to open and close the card insertion opening and is operated according to a shape of a card inserted from the card insertion opening (see Fig.12 and Col .6, lines 8-11).

Allowable Subject Matter

Claims 11 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The Prior Art does not teach or suggest a card connector with wherein a switching mechanism constructed of actuator members and a shutter member, wherein the actuator members **have cam surfaces that downwardly and divergently** inclined and has an **inwardly bulged portion** formed at a top part thereof.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Larisa Z Tsukerman whose telephone number is (571)-272-2015. The examiner can normally be reached on Monday through Friday from 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A Bradley can be reached on (571)-272-2800 ex. 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LT
11/19/2004


THO D. TA
PRIMARY EXAMINER